

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

RICHARD SAETTONE,

Plaintiff,

v.

ASCENSION RECOVERY MANAGEMENT,)
LLC,)

Defendant.)

No. 4:08-CV-863 CAS

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion for default judgment. A Clerk's Entry of Default Judgment was issued in this matter against defendant Ascension Recovery Management, LLC, on November 4, 2008 (Doc. 12), and the motion for default judgment was filed on November 24, 2008 (Doc. 13).

In response to the motion, Mr. Brian Richards, "managing member" of defendant Ascension Recovery Management, LLC, wrote a letter to the Court dated December 1, 2008 on behalf of defendant (Doc. 15), which seeks to respond to plaintiff's motion. The letter is an attempt by Ascension Recovery Management, LLC, a corporate entity, to proceed without the benefit of licensed counsel. Pursuant to 28 U.S.C. § 1654, "parties may plead and conduct their own cases personally or by counsel." A lay person, however, cannot represent a corporation; a corporation must be represented in federal court by a licensed attorney. Rowland v. California Men's Colony, Unit II Men's Advisory Council, 516 U.S. 194, 202-03 (1993); Ackra Direct Mktg. Corp. v. Fingerhut Corp., 86 F.3d 852, 857 (8th Cir. 1996); United States v. Van Stelton, 988 F.2d 70, 70 (8th Cir. 1993) (per curiam). Mr. Richards may not, therefore, act on behalf of or otherwise represent Ascension

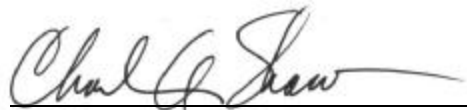
Recovery Management, LLC in this action, and the Court will not consider the letter in opposition to plaintiff's motion for default judgment.

Accordingly,

IT IS HEREBY ORDERED that, on the Court's own motion, Ascension Recovery Management, LLC is granted until **January 9, 2009** to file a response, by licensed counsel, to the plaintiff's Motion For Default Judgment.

IT IS FURTHER ORDERED that the Clerk of the Court shall send a copy of this Memorandum and Order to Mr. Brian Richards, Ascension Recovery Management, LLC, 28110 N. Avenue Stanford, Suite C, Valencia, California 91355.

IT IS FURTHER ORDERED that in the event no such response is timely filed in accordance with this memorandum and order, the Court will address plaintiff's motion without further notice.



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 9th day of December, 2008.